

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE: NEW ENGLAND COMPOUNDING)
PHARMACY, INC. PRODUCTS LIABILITY)
LITIGATION)
THIS DOCUMENT RELATES TO:)
ALL ACTIONS)

MDL No. 1:13-md-2419-RWZ

PLAINTIFFS' STEERING COMMITTEE'S
MOTION FOR ENTRY OF CASE MANAGEMENT ORDER

The Plaintiffs' Steering Committee hereby moves the Court to enter the Case Management Order attached hereto as Exhibit A (1) granting all Virginia plaintiffs unfettered access to all documents and things (including, but not limited to, answers, cross-claims, answers to interrogatories, responses to requests for admission, responses to request for production, and deposition testimony)¹ previously served, prepared, produced, and/or given by, for, or on behalf of defendants Insight Health Corp., Image Guided Pain Management, John Mathis, M.D., and/or Robert O'Brien, M.D., as well as circuit court opinions and orders, in the cases styled *Sharon G. Wingate, Executor of the Estate of Douglas Gray Wingate, deceased v. Insight Health Corp., et al.* and *Chance E. Baker v. Insight Health Corp., et al.*, (2) incorporating all such documents and things in all other cases in the MDL involving a Virginia plaintiff, and (3) allowing all such documents and things to be used in all other cases in the MDL involving a Virginia plaintiff to the same extent as if served, prepared, produced, given, rendered, and/or entered in each such other case.

All Virginia plaintiffs, and defendants Image Guided Pain Management, John Mathis, M.D., and Robert O'Brien, M.D. support this motion.

¹ See Exhibit B to Memorandum in Support for a listing of some such documents and things.

A memorandum of support setting forth the factual and legal basis for this motion is filed herewith.

Lead Counsel and the Plaintiffs' Steering Committee request that this matter be placed on the agenda for oral argument during the status conference scheduled to be held on June 19, 2014.

Dated: June 11, 2014

RESPECTFULLY SUBMITTED,

/s/ Patrick T. Fennell

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Plaintiffs' Steering Committee

CERTIFICATE OF SERVICE

I, Patrick T. Fennell, hereby certify that I caused a copy of the above *Plaintiffs' Steering Committee's Motion for Entry of Case Management Order* to be filed electronically via the Court's electronic filing system. Those attorneys who are registered with the Court's electronic filing system may access this filing through the Court's system, and notice of this filing will be sent to those parties by operation of the Court's CM/ECF system.

Dated: June 11, 2014

/s/Patrick T. Fennell
Patrick T. Fennell, VSB 40393